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# Attorney

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PROVIDING EQUAL ACCESS TO JUSTICE







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# EQUAL ACCESS TO JUSTICE

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## *Harmeyer Law Group Focuses on Good Cases That Fall Through The Cracks*

by Jennifer Hadley

“Many good cases can get priced out of the system through the cost of litigation. Efficient and effective small firm representation, through contingency or hybrid attorney retention, provides access to justice for more people and businesses,” says Jeff Harmeyer, Founder of Harmeyer Law Group, APC. With more than 24 years as a trial attorney, Harmeyer has tried cases to verdict in the County Superior Courts of San Diego, Orange, Los Angeles, Riverside, San Mateo, Sacramento and Mendocino, in areas of law including commercial contract disputes, business litigation, products liability and general civil litigation. Moreover, with multiple published decisions—particularly in the Fourth District Court of Appeal—Harmeyer Law Group’s resume matches that of some of the largest law firms in San Diego. Yet Jeff Harmeyer’s practice is a small firm, by design.

“As a practicing attorney, it became clear to me years ago that both large companies and individuals often have strong cases but do not litigate because the dispute becomes inefficient. Consider that in small claims court, you can represent yourself in cases up to \$5,000. Anything over that, you really need a lawyer. As a result many businesses and individuals think they cannot efficiently litigate smaller disputes, even if they are worth several hundred thousand dollars. They walk away from good claims because they think the attorney will get more than they will recover, so it’s not worth it,” Harmeyer says.

This might be true at large firms because “they are naturally more restricted in compensation packages, relying heavily on the billable hour,” says Harmeyer. “However, at Harmeyer Law Group, “We put our fee on the line, assuring the client of positive recovery, even in a smaller financial dispute. We’ve become creative at attorney compensation. We’ve developed contingency, hybrid contingency and contingent hourly

compensation agreements in order to provide access to justice for our clients. So, if a client comes to us with a \$100K case for example, and we can guarantee they won’t spend more than \$50K, the case then becomes worth pursuing,” Harmeyer explains.

### **Access To Advocacy**

Harmeyer knows a great deal about why big firms can’t always efficiently litigate smaller cases because he spent many years in large firms. After earning his J.D. in 1990 from the University of San Diego School of Law, Harmeyer went to work immediately for McInnis, Fitzgerald, Rees, Sharkey & McIntyre, where he cut his teeth as a young attorney under the guidance of Gary Bailey. “Gary Bailey was a great teacher of trial practice. He knew how to simplify things. He’d say things like ‘If you can get the other side to argue what you think is important, you’re going to win. If the other side gets you to argue what they think is important, you’re going to lose.’ Gary was not afraid of anyone. He taught me to be fearless,” Harmeyer recalls fondly. Harmeyer also spent an additional 4 years at Higgs, Fletcher & Mack before opening his own firm in 1998.

Deciding to open his own firm came about for several reasons. First was his own recognition of what he had to offer as an attorney. “I recognized that justice is more than just a word. In criminal law, it means getting the bad guy behind bars. In civil litigation, it is the assertion of financial rights. Criminal law need not worry about access to justice, civil law must. We expand civil justice by providing greater access to assert financial rights,” he says. Secondly, Harmeyer identified a largely untapped market share. “I saw who was not being serviced. I figured if I could service them, I could have a thriving business,” he says. Moreover, as a small firm, Harmeyer

saw that he would have far fewer conflicts of interest to review before deciding to take a particular case.

With his big firm experience, Harmeyer set about to create a firm that would enable him to work on cases of all sizes. “Our clients range from multinational corporations to individuals. Our niche is any individual or corporation that recognizes the value of small firm dedication. We deliver a powerful punch that doesn’t break the bank. Efficient litigation gives the client more options. Business litigation (if not civil litigation in general) is always a function of cost. The greater the cost, the fewer the options. Efficient litigation allows greater access, rather than only the biggest cases, or deepest pockets getting justice,” he explains. To that end, Harmeyer is also committed to being where his clients need him to be. “We have tried cases from Ukiah to El Centro and most places in between,” he says.

It was also important to Harmeyer to remain open to a variety of areas of law rather than specializing in just one field. “The law is the fabric of our society. It mixes business with philosophy, art with logic, morality with wisdom. There is no profession more interesting, and perhaps none more difficult to master. I was drawn to the law because it’s never boring. There is always something new to learn,” he says.

To put it another way; Harmeyer has no desire to focus exclusively on one area of law. “We’ve never labeled ourselves as doing a certain ‘type’ of litigation. Many attorneys believe you must be an expert in a legal area to be good at it. But reading one or two of the most prominent cases in a given legal area can get you up to speed. Litigation procedure is the same for all civil matters, and juries don’t know wrongful death from warranty law when they walk in the courtroom. They care about the case, and how the law applies to that case,” Harmeyer says. “Besides, doing new things is fun. We’ve tried and won product liability, insurance bad faith, wrongful death, personal injury, contract disputes and general business litigation,” he adds.

But make no mistake, Harmeyer’s track record proves that he’s not just having fun without providing expert advocacy. He’s been rated AV Preeminent since 2010, named a *San Diego Super Lawyer* for the past two years, has been on *San Diego Magazine’s Top Lawyers List* every year since 2010, and has been named one of the *Best Lawyers in San Diego* by *San Diego Metropolitan Magazine*. He’s also been recognized as an Honored Member is *Sutton Who’s Who In American Law*, and an Honored Member of *Strathmore’s Who’s Who World Wide*.



Harmeyer Law Group, Adam Parry, Jeff Harmeyer and Lisa Vargas.

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## Full-Suite Services

Harmeyer Law Group's track record in successful verdicts is also evidence of the strength of the firm's full-service practice. "We take a very personal interest in the success of the cases we handle whether we represent an individual or a corporation. We handle cases from beginning to end. From the filing of the complaint, to resolution on appeal if necessary and everything in between. Not all cases go to trial, but we are capable of providing excellent legal services at every stage of litigation, including appeal. Our cases don't get passed off to others; we handle them ourselves," Harmeyer says. "We bring an outstanding combination of high quality writing skills and experienced trial lawyer oral presentation."

Furthermore, "We are a firm that won't stop just because the law does not appear to be on our side. We operate with the motto that 'It is not so important what the law is, as what it should be.' If the law doesn't make sense, we do what we can to change it. We've changed the law because we haven't accepted inequitable precedent," he continues.

Examples of Harmeyer Law Group's track record of success in appeals can be seen in *Jeld-Wen v. Superior Court* (2005) 131 Cal.App.4th 853, where Harmeyer's efforts changed the law

to exclude evidence of negligent entrustment when respondeat superior is admitted. Similarly, "in *Jeld-Wen v. Superior Court* (2007) 246 Cal.App.4th 536, we stopped the abusive practice of courts forcing cases to costly private mediation over the objection of the parties," he explains.

As part of Harmeyer Law Group's commitment to providing a full suite of legal services, and equal access for all to justice, the firm is continuing to move towards plaintiff's representation on a contingency basis, particularly in cases of insurance bad faith, personal injury and business disputes. "Plaintiff contingency cases allow you to help those who would otherwise be priced out of the legal system. Representing individual plaintiffs against those better financially situated gives you much more satisfaction when you win. It means so much to your clients, and they really appreciate your efforts. It's David versus Goliath, and it's just more fun when David wins," Harmeyer says with a smile. Continuing he adds, "We like to win, because it's fun, but you don't win without hard work and preparation. We get the job done, and do it right," he says.

## Firm Foundation: Focus on Family

When it comes to the "we" at Harmeyer Law Group, the firm's

Midwestern born and raised founder is quick to point out that his colleagues have become like family, due in part to their longevity with the firm. “My associate Adam Parry has spent his career here. An absolute rising star. He is an excellent writer. Good legal writing is like serving a good meal. It must be substantively correct, and it must be easily digestible. He just gets it,” Harmeyer says. Similarly, he refers to Lisa Vargas, his office administrator and paralegal as “the best in San Diego, and probably the best in Southern California. I first met her when I was just a new lawyer at McInnis, and I sought her out when I opened my firm. I’m very proud of both of them, and proud that I found and have been able to keep really exceptional people,” Harmeyer says.

He is also quick to point out that his family serves as a huge inspiration. “When it comes down to it, no matter what you do as a profession, it’s never as important as your family,” Harmeyer says. “I grew up in a small town of fewer than 1000 people in southeastern Iowa. I wasn’t born with a silver spoon, but I had hardworking parents who instilled a strong sense of ethics,” he says.

Harmeyer is devoted to instilling those same ethics in his own children, with his wife Marilynne Leadon, an Administrative Hearing Officer. “I met my wife at the University of San Diego School of Law in 1988. We have two wonderful daughters, Katie and Jenna. Both are honor students and 3 sport varsity athletes. Katie is now a freshman at UCLA and Jenna a junior at La Jolla High School. We couldn’t be more proud of them,” he says.

As far as the future of Harmeyer Law Group is concerned, Harmeyer plans to continue to put his heart and soul into each case, regardless of the size of the case. “When we find someone who was wronged, we find a way to get them what they deserve within the justice system. We do not shy away from a good fight, but with us it will be on an intellectual plane, and firmly bounded by ethics. We are confident in our ability to figure out the law, and apply it to the facts. If the law doesn’t make sense we work to change it,” he says. As such “we will grow as fast or as slow as we need to. We don’t want to be big, but we do want to remain very capable of handling multiple cases with professional expertise,” he says. ■

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## EXPERIENCE

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### » EDUCATION / ASSOCIATIONS

- Iowa State University of Science and Technology, B.S. 1982
- University of San Diego School of Law, J.D. 1990
- State Bar of California
- American Bar Association
- San Diego County Bar Association
- Association of Business Trial Lawyers
- Associated General Contractors, Affiliate Member
- DRI – The Voice of the Defense Bar

### » RECOGNITIONS

- Martindale-Hubbell Peer Review Rating: AV Preeminent. Highest possible rating in both legal ability and ethical standards. 2010-2014
- Recognized as Honored Member in Sutton Who’s Who in American Law.
- Recognized as “Best Lawyers in San Diego” by San Diego Metropolitan Magazine, March 2012
- Recognized on the “Top Lawyers List” by San Diego Magazine, 2010-2014
- Recognized by Thomson Reuters as “San Diego Super Lawyer” in 2013, 2014.
- Recognized as Honored Member of Strathmore’s Who’s Who Worldwide